

AO 440 (Rev. 03/08) Civil Summons

UNITED STATES DISTRICT COURT

for the

Northern District of California

CARLOS H. PEREZ

Plaintiff

v.

GMAC MORTGAGE USA CORPORATION, et al.

Defendant

Civil Action No.

C08 01972 HRL

Summons in a Civil Action

To: JAMES JOHN CHAPMAN

(Defendant's name)

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Fred W. Schwinn
Consumer Law Center, Inc.
12 South First Street, Suite 1014
San Jose, California 95113-2418

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: APR 15 2008

Richard W. Wieking

Name of clerk of court

Deputy clerk's signature

Tiffany Salinas-Harwell

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) Fred W Schwinn, 225575 CONSUMER LAW CENTER 12 S 1ST ST STE 1014 SAN JOSE, CA 95113-2403		Case 5:08-cv-01972-JW Document 26 Filed 05/07/2008 Page 2 of 4 (408) 294-6100		COURT USE ONLY	
ATTORNEY FOR (Name): Plaintiff		Ref. No. or File No. none			
Insert name of court, judicial district or branch court, if any: United States District Court 280 S. First St. #2112 San Jose, CA 95113-3008					
PLAINTIFF: Perez, et al.					
DEFENDANT: GMAC Mortgage USA Corp., et al.					
PROOF OF SERVICE	DATE: 8/5/2008	TIME: 1:30 PM	DEPT/DIV: 2	CASE NUMBER: C08-01972-HRL	

1. At the time of service I was a citizen of the United States, over 18 years of age and not a party to this action, and I served copies of: Summons in a Civil Action, First Amended Complaint, Order Setting Initial Case Management Conference, Notice of Assignment to Magistrate & Forms Packet, ADR Instructions & Forms Packet, ECF Registration Information Handout, ADR Handbook

2. Party Served: James John Chapman, individually and in his official capacity

3. Person Served: party in item 2

a. Left with: Mary Allen, Office Manager (W,F,50,BrH)- Person in Charge of Office

4. Date & Time of Delivery: 4/29/2008 4:05 PM

5. Address, City and State: 900 Mission Avenue
San Rafael, CA 94901

6. Manner of Service: By leaving the copies with or in the presence of Mary Allen, Office Manager (W,F,50,BrH), (business) a person at least 18 years of age apparently in charge of the office or usual place of business of the person served. I informed him/her of the general nature of the papers. I caused the copies to be mailed (if applicable). A declaration of mailing is attached.


BY FAX

125.00

Registered California process server.
 County: MARIN
 Registration No.: 186

James Ruiz
 One Legal - 194-Marin
 504 Redwood Blvd #223
 Novato, CA 94947
 415-491-0606

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on 4/30/2008 at Oakland, California.



Signature: James Ruiz

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) Fred W Schwinn, 225575 CONSUMER LAW CENTER 12 S 1ST ST STE 1014 SAN JOSE, CA 95113-2403		FILED 05/07/2008 (408) 294-6100		FOR COURT USE ONLY Page 9 of 4	
ATTORNEY FOR (Name): Plaintiff		Ref No. or File No. none			
Insert name of court, judicial district or branch court, if any. United States District Court 280 S. First St. #2112 San Jose, CA 95113-3008					
PLAINTIFF: Perez, et al.					
DEFENDANT: GMAC Mortgage USA Corp., et al.					
PROOF OF SERVICE BY MAIL	DATE: 8/5/2008	TIME: 1:30 PM	DEPT/DIV: 2	CASE NUMBER: C08-01972-HRL	

I am a citizen of the United States, over the age of 18 and not a party to the within action. My business address is 504 Redwood Blvd #223, Novato, CA 94947.

On 4/30/2008, after substituted service under section CCP 415.20(a) or 415.20(b) or FRCIV.P 4(d)(1) was made (if applicable), I mailed copies of the:

Summons in a Civil Action, First Amended Complaint, Order Setting Initial Case Management Conference, Notice of Assignment to Magistrate & Forms Packet, ADR Instructions & Forms Packet, ECF Registration Information Handout, ADR Handbook

to the defendant in said action by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at Oakland, California, addressed as follows:


James John Chapman, individually and in his official capacity
 900 Mission Avenue
 San Rafael, CA 94901

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

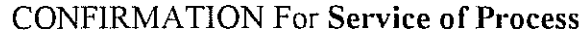
125.00

Lee Major
 James Ruiz
 One Legal - 194-Marin
 504 Redwood Blvd #223
 Novato, CA 94947

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct and that this declaration was executed on 4/30/2008 at Oakland, California.



Lee Major



Thank you for choosing One Legal for your process serving needs.